

Request for Reconsideration:

Applicants are amending independent claims 1 and 5 to clarify the structural relationship between the electrical connector and the mating connector. No new matter is introduced by these amendments, and these amendments are fully supported by the specification. E.g., Appl'n, Page 12, Line 26, through Page 3, Line 16; **Figs. 16** and **17**. No fees are due as a result of these amendments, but in the event of any variance between the fees determined by Applicants and those determined by the U.S. Patent and Trademark Office (PTO), please charge or credit any such variance to the undersigned's Deposit Account No. 02-0375.

Remarks:

1. Rejections.

Claims 1, 2, 4, 5, and 7-10 stand rejected under 35 U.S.C. § 102(b), as allegedly anticipated by European Patent No. 1 096 609 A1 to Matsumoto. Moreover, claims 3 and 6 stand rejected under 35 U.S.C. § 103(a), as allegedly rendered obvious by Matsumoto. Applicants respectfully traverse.

2. Anticipation Rejections.

As noted above, claims 1, 2, 4, 5, and 7-10 stand rejected as allegedly anticipated by Matsumoto. “A claim is anticipated if and only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. . . . [Moreover, ‘t]he identical invention must be shown in as complete detail as is contained in the . . . claim.” MPEP 2131 (emphasis added; citations omitted). With respect to claim 1, the Office Action alleges that Matsumoto describes “contacts (13 or 14) compris[ing] a first contact portion for connection to a counterpart connector (23), and a second contact portion being continuous with said first contact portion and formed at a tip side of said contact . . .” Office Action, Page 2, Lines 13-16; Matsumoto, **Figs. 8 and 9**. Nevertheless, Matsumoto’s “second connector,” as identified by the Office Action, does not and is not configured to contact Matsumoto’s counterpart connector 23. Thus, Matsumoto does not describe each and every element of the invention “in as complete detail” as that recited in the amended claims.

The Office Action does not distinguish the arguments for rejection applied to apparatus claim 1, from the arguments for rejection applied to method claim 5. The Office Action merely asserts that “the method of producing an electrical connector is considered as an inherent feature since the limitations in the method claims are identical to the apparatus claims.” Office Action, Page 3, Lines 1-3. Thus, the Office Action does not provide any separate grounds for rejecting method claim 5. Therefore, Matsumoto’s failure to demonstrate each and every element of apparatus claim 1 renders the anticipation rejections of method claim 5 untenable.

In view of the foregoing amendments remarks, Applicants respectfully request that the Examiner withdraw the anticipation rejections of claims 1 and 5. Further, because claims 2, 4, and 7-10 depend directly or indirectly from claims 1 or 5, Applicants maintain that the anticipation rejections of claims 2, 4, and 7-10 also are untenable. Therefore, Applicants also

respectfully request that the Examiner withdraw the anticipation rejections of claims 2, 4, and 7-10.

3. Obviousness Rejections.

As noted above, claims 3 and 6 stand rejected as allegedly rendered obvious by Matsumoto. In order for the Office Action to establish a *prima facie* case of obviousness, at least three criteria must be met. First, there must be some suggestion, motivation, or incentive, either in the reference itself or in the knowledge generally available to one of ordinary skill in the art, to modify the cited reference, in the manner proposed by the Office Action. Second, the cited reference must disclose or suggest all the claim limitations. Third, there must be a reasonable expectation of success. MPEP 2143. For the following reasons, Applicant respectfully traverses the obviousness rejections of claims 3 and 6.

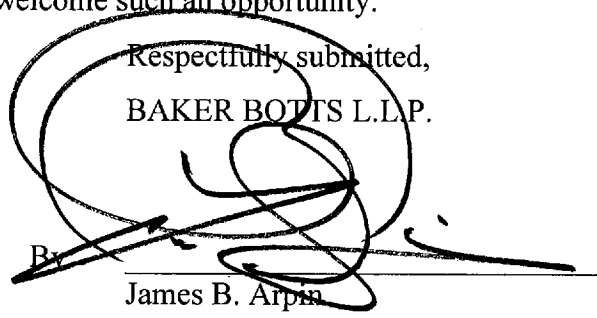
Claim 3 depends from independent claim 1, and claim 6 depends from independent claim 5. "If an independent claim is non-obvious under 35 U.S.C. 103, then any claim dependent therefrom is non obvious. " MPEP 2143.03. Thus, in view of Applicant's amendments and remarks with respect to the rejections of claims 1 and 5 based Matsumoto, Applicants maintain that the Office Action fails to establish a *prima facie* case of obviousness with respect to claims 3 and 6. Therefore, Applicant respectfully requests that the Examiner withdraw the obviousness rejections of claims 3 and 6.

Conclusion:

Applicants respectfully submit that this application, as amended, is in condition for allowance, and such disposition is earnestly solicited. If the Examiner believes that an

interview with Applicants' representatives, either in person or by telephone, would expedite prosecution of this application, we would welcome such an opportunity.

Respectfully submitted,
BAKER BOTTS L.L.P.

A large, stylized handwritten signature in black ink, appearing to read 'James B. Arpin', is written over the typed name and registration number.

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